

AO 91 (Rev. 08/09) Criminal Complaint

Special Agent

: Kathryn Krieg

Telephone: (313) 806-6972

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

United States of America,

Plaintiff,

v.

FIRST NAME UNKNOWN,

LAST NAME UNKNOWN,

A/K/A J.M. AS appears in KK Del

attachment

Defendant(s).

Case:2:16-mj-30294

Judge: Unassigned,

Filed: 06-27-2016 At 11:54 AM

SEALED MATTER (LH)

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**CRIMINAL COMPLAINT**

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I, the complainant in this case, state that the following is true to the best of my knowledge and belief:

On or about the date(s) of July 2008 - July 2015, in the county of Wayne  
in the Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. 641;  
18 U.S.C. 1028A

Theft of Government Funds;  
Aggravated Identity Theft

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

Kathryn Krieg  
*Complainant's signature*

Special Agent Kathryn Krieg, SSA/OIG/OI  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: June 27, 2016

David R. Grand  
*Judge's signature*

City and state: Detroit, Michigan

David R. Grand, United States Magistrate Judge  
*Printed name and title*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, the undersigned complainant, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the Social Security Administration, Office of the Inspector General, Office of Investigations (“SSA/OIG/OI”), and have been so employed since August of 2010. I am assigned to the OI Field Office for Detroit, Michigan. I hold a Bachelor of Science in Criminal Justice and Psychology from Southern Illinois University-Edwardsville, and a Master of Public Administration from the University of Michigan-Dearborn. I am a graduate of the Federal Law Enforcement Training Center in Glynco, Georgia, having successfully completed a 12-week Criminal Investigator Training Program. My job duties include conducting investigations of fraud, waste, and abuse of benefit programs administered by the Social Security Administration. I am authorized to carry a firearm, make arrests, and execute warrants.

2. I have been assigned to an investigation of Theft of Government Funds and Aggravated Identity Theft, in violation of Title 18 U.S.C. §§ 641 and 1028A, respectively. The target of this investigation is an individual whose true first name and last name are presently unknown (“the TARGET”), but who presents himself as another known individual, his victim J.M. (“Victim1”).

3. I make this affidavit from personal knowledge based upon my participation in this investigation, with the exception of any matters expressly stated as being

based upon information received from other law enforcement personnel and their reports and records.

4. The information outlined below is provided for the limited purpose of establishing probable cause, and does not contain all details or facts that are known pertaining to the investigation.

#### **PROBABLE CAUSE**

5. Social Security Number (“SSN”) XXX-XX-3412 was assigned to Victim1 in 1976 in Laredo, Texas, by the Commissioner of Social Security.

6. A replacement social security card for SSN XXX-XX-3412 was issued in May 1989 in Detroit, Michigan.

7. In or around July 2008, SSN XXX-XX-3412 was used to apply for Supplemental Security Income (“SSI”) benefits in Detroit, Michigan.

8. The application was approved in or around October 2008 and SSI benefits were subsequently paid to an individual purporting to be Victim1 from then through July 2015.

9. Sometime in 2011, SSA received a notification that Victim1 was employed and earning income—events which frequently impact SSI eligibility. In response, SSA sent a Request for Employment Verification to Victim1’s employer, who confirmed that Victim1 was, in fact, employed.

10. In or around November 2012, SSA sent letters to the TARGET—believing he was Victim1—via certified mail, stating that he must come into an SSA office immediately to clarify the information the agency received regarding his employment and earnings.

11. On or about November 9, 2012, the TARGET completed a sworn Statement of Claimant attesting that the earnings in question were not his, that an individual named "Raul" had stolen his identity, and that the majority of the earnings on his record did not belong to him. As a result of this statement, benefits continued to be paid to the TARGET and the earnings were removed from Victim1's SSA record.

12. On or about March 20, 2014, Victim1 completed an application for Disability Insurance Benefits in Bell, California. Victim1 also provided a sworn statement indicating that he had never applied for or received SSI benefits. Further, Victim1 provided verification of the earnings that had been previously-disputed by the TARGET, as well as police reports and other documentary evidence suggesting both that his identity had been stolen sometime prior to 2001 and that it had previously been used by someone in Detroit, Michigan.

13. On or about July 8, 2015, the TARGET was questioned by SSA about his family history and inaccurately stated that he did not believe he was a twin. In reality, Victim1 was born a twin but his sibling passed away shortly after birth. In response to the inability to provide accurate detail about his family, SSA requested that the TARGET provide them with his birth certificate. Thereafter the TARGET provided SSA with what appeared to be a short-form or possibly abridged birth certificate. It is worth noting that this birth certificate is missing many of the details present on the long-form birth certificate that Agents officially obtained from the state of Texas (and which Victim1 was able to provide a copy of). The TARGET also provided SSA with a copy of a driver's license in the name of Victim1 (attached for identification purposes).

14. On or about January 22, 2016, Victim1 was interviewed by SSA-OIG Agents in California. During the interview, Victim1 provided a sworn statement attesting (1) that he has never been to Detroit, Michigan, and does not know anyone who lives there; (2) that he has never had an account with Comerica bank (where the TARGET had directed the SSI benefits to be paid); and (3) that he has never given permission for anyone to use his personal information.

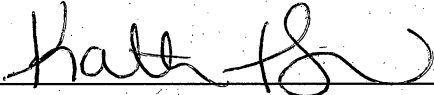
15. Likewise, Victim1 informed Agents that he was not the person who previously challenged the earnings on his record, that the signature on the November 9, 2012 Statement of Claimant was not his, and that he did not recognize the photograph of the individual pictured on the Michigan Driver's License bearing his name. Victim1 also recalled that when he was a child, certain of his identity documents were lost and that he went with his father to a government office to report the loss.

16. Based on my training, experience, and the investigation thus far, it appears that the TARGET has stolen the identity of Victim1, has been impersonating him for well over a decade, and has used his assumed identity to obtain approximately \$58,000 in SSI Benefits to which the TARGET would not otherwise have been entitled.

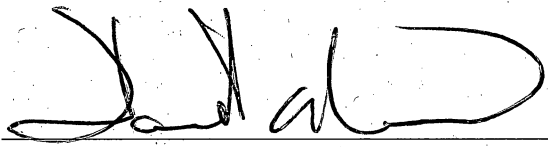
17. Accordingly, as set forth in this affidavit, there is probable cause to believe that the TARGET has thereby violated Title 18, United States Code, Section 641 by knowingly and willfully converting more than \$1,000 in funds belonging to the Social Security Administration, a department or agency of the United States; and Title 18 United States Code, Section 1028A by knowingly using a means of identification of Victim1 (i.e., Victim1's name and SSN) without lawful authority

during and in relation to the previously-mentioned felony Theft of Government Funds.

I, **Kathryn Krieg**, Special Agent with the Social Security Administration, Office of the Inspector General, being duly sworn according to law, hereby affirm that the facts stated in the foregoing affidavit are true and accurate to the best of my knowledge, information and belief.

  
Kathryn Krieg, Special Agent  
SSA/OIG/OI

Subscribed and sworn to before me  
This 27th day of June, 2016 at Detroit, Michigan.


  
DAVID R. GRAND  
United States Magistrate Judge



# Michigan State Police

for use only as authorized by MSP

## Image Retrieval Result

	<b>Card issued in a horizontal format</b>													
	<b>ID #</b>	M 200 454 139 969		<b>DOB</b>	Dec 22, 1960									
	<b>Name</b>	J [REDACTED] M [REDACTED]												
	<b>Address</b>	[REDACTED]												
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